

REMARKS

This paper is responsive to the Office Action dated June 10, 2004. Claims 1 - 6 are pending in this application and have been rejected. This paper includes no amendments. Reexamination is respectfully requested in light of the following remarks.

Application has carefully reviewed the outstanding Office action which rejects claims 1 and 3 - 5 over the combination of Yugen, Hayashi and Takeuchi. This Office Action further rejects claims 2 and 6 over the additional reference Tanaka.

Attached hereto is a two-page claim chart showing claim 1 with all of its elements compared to each of the three references Yugen, Hayashi, and Takeuchi. In this claim chart, it is clearly demonstrated that the references when considered together represent a checkerboard-fashioned approach to Applicant's claim 1. However, in claim 1, as well as claim 2, Applicant states that the toner image is fixed on the fiber layer. As shown in the claim chart, Yugen, while having a toner, has no fiber, and hence cannot have a toner fixed on the fiber. Hayashi, while having a fiber, does not teach or suggest the use of electrophotography in combination with the fiber. Finally, Takeuchi, while having a toner, again has no fiber. The Examiner has not explained in the

Office Action why it would be obvious to one of ordinary skill in the art to place the toner on the fiber as set forth in claims 1 and 2. Applicant claims a toner fixed on the fiber layer of the hair transplant sheet.

In the outstanding Office Action at the top of page 2, the Examiner asserts that Hayashi and Yugen are from an analogous art such as recording media technology. Applicant has searched the references, and the Examiner has cited nothing in the reference which refers to "recording media". Instead, both of these references relate to transfer sheets. The Examiner, however, has not explained in the Office Action why it would be obvious to incorporate fibers from Hayashi into Yugen, and to utilize the toner technology of Yugen in Hayashi. There is no teaching or suggestion in these two references when taken together which would support the Examiner's conclusion at lines 3 - 6 of page 3. In any event, the conclusion at lines 3 - 6 of page 3 is not even a rejection of the claims at issue because it does not include a missing element which the Examiner concedes requires the inclusion of yet another reference which is Takeuchi '167.

Takeuchi '167 is from a completely different art. This is the art of decalcomania transfer. This is a transfer process which is defined as the art or process of transferring pictures and designs typically from a specially prepared paper to china, glass, or marble and permanently fixing thereto a picture or design prepared and transferred by decalcomania, a paper on which

designs are printed. Takeuchi teaches the use of electrophotographic decalcomania with a polymer resin film formed on a surface side of a base material (column 2, lines 19 - 22). The very process of '167 relies upon floating an image in water which is then transferred to an object after removal from the paper (see column 1, lines 32 - 35; claim 2; claim 5 and claim 10, lines 50 - 60 and attached dictionary page 583). Any reading of '167 shows that it does not include the fiber portion of Applicant's claim. Not only does it not include fiber, the film specifically excludes it. One reason for the exclusion of the fiber layer is the necessity of printing on marble or prepared china or glass and the like.

In reference to Figure 1 of '167, the transfer layer (14) receives the toner image. The transfer layer (14) and an adhesion layer simply have no fiber associated with them. The base material, paper, is removed prior to application. Layer (15) provides a separating layer which has a peeling property.

The attached claim chart showing claim 1 shows that Takeuchi '167 contains no elements of Applicant's claim 1 except for the use of a toner electrophotography machine and an acrylic resin aqueous (water soluble) material. The Examiner has not explained in the Office Action, and provides no reference to any teaching in the reference as to why one would go to the art of decalcomania in order to address problems properly found in the art of image transfer as disclosed in Yugen and Hayashi. All Takeuchi

possesses is the missing element of the acrylic resin material. However, the references when considered all three together, simply do not suggest or teach that there is any possibility of the acrylic resin water soluble material as a parting agent.

Takeuchi '167 applies only transfer layer (14) which is made of polyvinyl alcohol, and which receives the toner. Takeuchi does not include any of the technology of either Yugen or Hayashi which utilize hot melt adhesives, fibers, retention layers and the like. The separating layer (12) (or 15) of Takeuchi is used to release the transfer layer (14) with its image prior to application to the receiving material, such a dimensional object such as earthenware (column 1, lines 20 - 25). As the claim chart shows, the basic problem with '167 is that the base (11) is separated from the decalcomania (14) by release adhesion (12) before the decalcomania (14) is complete. The decalcomania (the completed product) does not include the base such as Applicant's claimed base sheet (2).

Since '167 relies upon a decalcomania technology which does not involve in any way a hot melt adhesive layer (as claimed by Applicant), it simply does not teach or suggest Applicant's claimed invention. As compared to Yugen '918 and Hayashi '396 as well as Applicant's invention, Takeuchi simply is not analogous to the art under consideration.

Claims 2 and 6

Claims 2 and 6 are further rejected as being obvious over yet another reference, Tanaka '090. The Examiner while citing Tanaka for an acrylic ester does not in any way show how the references point to Applicant's claimed invention. '090 is for a toner for electrophotography, not the transfer sheet technology of Applicant's invention and that of Yugen and Hayashi. There is no teaching that one can resort to the toner arts in order to identify a resin for release purposes in constructing a transfer sheet as claimed.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action in accordance thereof is requested. In the event there is any reason why the application cannot be allowed in this current condition, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems by Interview or Examiner's Amendment.

Respectfully submitted,



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| Applicant's<br>Claim 1   | Yugen<br>'918       | Hayashi<br>'396 | Takeuchi<br>'167   |
|--|---------------------|-----------------|--|
| A transfer sheet (1)<br>comprising:                                    | Yes                 | Yes             | No<br>Decalcomania for transferring<br>from paper to china, glass or<br>marble. (Dictionary) Floating<br>of image in H <sub>2</sub> O is transferred<br>to object after removal from<br>paper (col. 1, lines 32-32);<br>claim 2; claim 5; col. 10, lines<br>50-60) |
| a hair transplant sheet (5 { 3,<br>2})<br><br>having a base sheet (2), | No fiber<br>No hair | Yes (3)         | No fiber<br><br>Yes base (1)<br><br>(base (11), paper (claim 1)) but<br>is <u>separated</u> at adhesion (12)<br>and transfer before<br>decalcomania is complete. So<br>no base in decalcomania.  |

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| and an acrylic solvent adhesive layer (3) parting agent  | Yes parting agent:<br>No chemistry is not stated  | Yes parting agent<br>Acrylic resin (p 4, line 25),<br>layer (2) | Acrylic resin aqueous (12)<br>(H <sub>2</sub> O soluble) (col. 3, 24-26)<br>Not (15) which is not acrylic<br>(col. 5, lines 27-54)<br>Not (13) which is wrong side<br>of (11) | Yes  |
| on which a fiber layer (9) is provisionally bonded;  | No fiber  | Yes<br>Short fiber retention layer (2)<br>and fiber (3)         | No fiber<br>No hair<br>adhesion layer (12) holds<br>transfer layer (14) until<br>removed prior to application   | No fiber<br>No hair<br>adhesion layer (12) holds<br>transfer layer (14) until<br>removed prior to application  |
| a toner image fixed on the fiber layer (9) of the hair transplant sheet (5) by an electro photo copying machine using a toner (6); | Yes toner<br>No fiber   | No toner electro photocopy<br>Yes fiber                         | Yes toner electro photocopy<br>No fiber<br>Uses transfer layer (14)<br>polyvinyl alcohol (col. 3, lines<br>48-60) instead of a fiber layer<br>to receive toner                | Yes toner electro photocopy<br>No fiber<br>Uses transfer layer (14)<br>polyvinyl alcohol (col. 3, lines<br>48-60) instead of a fiber layer<br>to receive toner |
| at least one acrylic ester binder layer (7) which is placed on the fiber layer (9) having the fixed toner image (6); and           | No fiber<br>No acrylic ester resin<br>Has acrylic urethane which<br>Applicant teaches is wrong,<br>(Applicant's specification pg<br>4, line 7 up from the bottom) | No acrylic ester resin<br>(pg 5, lines 12 - 16)                 | No<br>(14) is polyvinyl alcohol, (13)<br>is on wrong side of paper (11)<br>and cannot contact toner which<br>is applied to layer (14).<br>No fiber                            | No<br>(col. 10, lines 50-60) does not<br>use hot-melt adhesive because<br>it is decalcomania   |
| a hot-melt adhesive layer which is placed on the binder layer.   | Yes (8)   | Yes (9)   | No  |  |